

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

IN RE:

MEDCO/EXPRESS SCRIPTS MERGER
LITIGATION

Civil Action No. 11-4211(DMC)(MF)

ORDER

THIS MATTER having come before the Court by way of Plaintiffs' application for expedited discovery, and the Court having entered a scheduling Order dated August 17, 2011, Docket Entry 32, which set forth a discovery schedule in the event that Plaintiffs' application for expedited discovery were granted, and the Court having denied Defendants' motion to dismiss and for a stay by way of Opinion and Order, both dated September 19, 2011, and good cause appearing,

IT IS on this 11 day of October, 2011,

ORDERED that Plaintiff's application for expedited discovery is ~~granted~~; and it is further ORDERED that discovery shall proceed in accordance with the schedule set forth in the Court's August 17, 2011 Order, Docket Entry 32, modified as follows:

1. A meet and confer regarding the written discovery requests shall take place five (5) calendar days following the date of this Order.
2. The parties shall begin the production of core documents (i.e., board minutes and presentations and drafts of banker materials and drafts of merger agreements) by seven (7) calendar days following the date of this Order.
3. Defendants shall make a good faith effort to complete document production, subject to objections, within fourteen (14) calendar days following the date of this Order.
4. Depositions may commence on or after twenty-one (21) calendar days and must

conclude forty (40) calendar days following the date of this Order.

5. Affirmative expert reports shall be served no later than forty-seven (47) calendar days following the date of this Order.
6. Responsive expert reports shall be served within fifty-four (54) calendar days following the date of this Order.
7. Expert depositions, if any, shall be completed within sixty-one (61) calendar days following the date of this Order.
8. The parties will confer about the briefing of Plaintiff's application and will report back to the Court for a further Order no later than forty (40) calendar days following the date of this Order.
9. The parties can modify any dates on the above schedule without Court approval, except for paragraph 8, which shall require Court approval on good cause shown.


DENNIS M. CAVANAUGH, U.S.D.J.

*The parties are to meet with
Magistrate Judge Falk and agree
upon a discovery schedule ASAP.*

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cc. Judge Falk